REMARKS

Claims 16 and 19-29 are presented for consideration, with Claims 16, 28 and 29 being independent.

Claim 16 has been amended to further distinguish Applicant's claimed invention from the cited art. In addition, Claims 27-29 have been added to provide an additional scope of protection. Support for the claim amendments and new claims can be found, for example, on page 11, line 25, *et. seq.*, of the specification.

Claims 16, 19-21, 23 and 25 currently stand rejected under 35 U.S.C. §103 as allegedly being unpatentable over Endo (WO '647) in view of Ikeda '385. Claim 22 is rejected as allegedly being unpatentable over Endo and Ikeda as applied to Claim 16, and further in view of Lindsay '497 and Swidler '833. Claims 24 and 26 are rejected as allegedly being unpatentable over Endo and Ikeda as applied to Claim 16, and further in view of Comiskey '519. These rejections are respectfully traversed.

Claim 16 of Applicant's invention relates to an electrophoretic display device comprised of a substrate, a sealing plate, a partition wall disposed between the substrate and the sealing plate, and a liquid layer disposed in a container including the substrate and the partition wall and comprising electrophoretic particles and a dispersion medium. In addition, a first electrode is formed at a position apart from the partition wall on a substrate, a second electrode is formed along the partition wall, and a resistance layer electrically connects the first electrode and the second electrode. As claimed, the resistance layer is an indium-tin-oxide film.

The Endo publication is directed to an electrophoretic display device having first and second substrates 1, 2, separated by a partition wall, and containing therein an insulating liquid 5

with charged electrophoretic particles 6 (see Figures 1A and 1B). The display includes a first electrode 3 in the first substrate and a second electrode 4 disposed as part of the partition wall.

The secondary citation to Ikeda relates to an electrophoretic display device and is relied on for allegedly teaching of a resistance layer electrically connecting first and second electrodes and comprising an indium-tin-oxide film. With reference to Figure 1, Ikeda shows a first substrate 1a, second substrate 1b, and a stage 4. The stage includes a recessed part E, with the first electrode 5a arranged below the recessed part, and a second electrode 5b arranged on an upper part of the stage. Ikeda also shows a third electrode 5c on a side wall F_3 of the stage and a fourth electrode 5d on an upper surface F_2 of the stage. An insulating layer 9 can be formed between electrodes 5d and 5b, as shown in Figures 5 and 6.

In the Office Action mailed June 7, 2011, it is asserted that the fourth electrode 5d and the insulating material 9 form a resistance layer electrically connecting the first electrode 5a and the second electrode 5b. It is respectfully submitted, however, that such a "resistance layer," cannot be said to be an indium-tin-oxide film as now set forth in Claim 16. Furthermore, the resistance layer in Ikeda does not electrically connect the first electrode 5a and the second electrode 5b because the insulating layer 9 is formed between electrode 5d and 5b so as to avoid a short circuit therebetween (see column 6, lines 42-47). In the Advisory Action mailed September 15, 2011, it is asserted (in the "Continuation of 11" attachment) that a compacitive electrical connection exists between the electrodes 5b and 5d. These electrodes, however, are the second and fourth electrodes but not the first and second electrodes as identified in Ikeda. As shown in Ikeda, the first (5a), third (5c) and fourth (5d) electrodes are electrically connected, but the first (5a) and second (5b) electrodes are not.

Accordingly, it is submitted that the proposed combination of Endo and Ikeda, even if proper, still fails to teach or suggest Applicant's invention as set forth in independent Claim 16. Therefore, reconsideration and withdrawal of the rejection of Claims 16, 19-21, 23 and 25 under 35 U.S.C. §103 is respectfully requested.

The Lindsay and Swidler patents are relied on for providing a resistance value of a resistance layer. The Comiskey patent relates to an electrophoretic display and is relied on for its teaching of an embossed light reflection layer.

These tertiary citations fail, however, to compensate for the deficiencies in Endo and Ikeda as discussed above. Accordingly, reconsideration and withdrawal of the remaining rejections under 35 U.S.C. §103 are respectfully requested.

Claims 28 and 29 relate to an electrophoretic display device that includes a substrate, a sealing plate, a partition wall, a liquid layer, and first and second electrodes as set forth in Claim 16. In Claim 28 a resistance layer electrically connects the first and second electrodes, and a volume resistivity of the resistance layer is 10^6 to 10^{12} ohm.cm. In Claim 29 a resistance layer electrically connecting the first and second electrodes comprises an indium-tin-oxide film and is said to be continuously arranged between a surface of a liquid layer side of the first electrode and a surface of a liquid layer side of the second electrode.

Claims 28 and 29 are also submitted to be patentable.

Thus, it is submitted that Applicant's invention as set forth in independent Claims 16, 28 and 29 is patentable over the cited art. In addition, dependent Claims 19-27 set forth additional features of Applicant's invention. Independent consideration of the dependent claims is respectfully requested.

REQUEST FOR INTERVIEW

Applicant respectfully requests an interview in the subject application. Applicant's undersigned representative will contact the Examiner within one week's time for the purpose of scheduling the interview.

CONCLUSION

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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